

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

OSAGE NATION,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 01-CV-0516-JHP-FHM
)	
THOMAS E. KEMP, JR., Chairman of)	
the Oklahoma Tax Commission; JERRY)	
JOHNSON, Vice-Chairman of the)	
Oklahoma Tax Commission; and)	
CONSTANCE IRBY, Secretary-Member)	
of the Oklahoma Tax Commission,)	
)	
Defendants.)	

DEFENDANTS' PRELIMINARY LIST OF EXHIBITS

Defendants Thomas E. Kemp, Jr., Chairman of the Oklahoma Tax Commission, Jerry Johnson, Vice-Chairman of the Oklahoma Tax Commission, and Constance Irby, Secretary-Member of the Oklahoma Tax Commission, pursuant to the Court's scheduling order, hereby submit their preliminary list of exhibits for the above-referenced case.

1. Act of February 27, 1925, 43 Stat. 1008, ch. 359;
2. Act of June 26, 1936, 49 Stat. 1967, ch. 831;
3. Act of March 2, 1929, 45 Stat. 1478;
4. Act of March 3, 1905, 33 Stat. 1061, ch. 1479;
5. Act of March 3, 1921, 41 Stat. 1249, ch. 120;
6. Act to Confirm to the Great and Little Osage Indians a Reservation in the Indian Territory, Act of June 5, 1872, 17 Stat. 228, ch. 310;
7. Act to Provide for the Granting of Certificates of Competency to Certain Members of the Osage Tribe of Oklahoma, Act of February 5, 1948, 62 Stat. 18, ch. 46;

8. Oklahoma Enabling Act, Act of June 16, 1906, 34 Stat. 267, ch. 3335;
9. Oklahoma Indian Welfare Act, 49 Stat. 1967, ch. 831;
10. Oklahoma Organic Act, Act of May 2, 1890, 26 Stat. 81, ch. 18;
11. Osage Allotment Act, Act of June 28, 1906, 34 Stat. 539, ch. 3572;
12. Fifteenth Census of the United States taken in the year 1930;
13. Fourteenth Census of the United States taken in the year 1920;
14. Thirteenth Census of the United States taken in the year 1910;
15. Twelfth Census of the United States taken in the year 1900;
16. March 24, 1972, letter from Office of the Secretary, United States Department of the Interior, to Honorable Henry M. Jackson;
17. Presidential Proclamation 780 of November 16, 1907;
18. Report of the Department of the Interior for the Fiscal Year ended June 30, 1908, H. Doc. No. 1046, 60th Cong., 2d Sess. (1909);
19. Report of the Department of the Interior for the Fiscal Year ended June 30, 1909, H. Doc. No. 107, 61st Cong., 2d Sess. (1910);
20. Report of the Department of the Interior for the Fiscal Year ended June 30, 1910, H. Doc. No. 1006, 61st Cong., 3d Sess. (1911);
21. Report of the Department of the Interior for the Fiscal Year ended June 30, 1907, H. Doc. No. 5, 60th Cong., 1st Sess. (1907);
22. 1907-09 Oklahoma Session Laws, ch. 81;
23. Hearing before the Subcommittee on Indian Affairs of the Committee of the Interior and Insular Affairs, United States Senate, 92nd Cong., 2d Sess. (March 28, 1972);
24. S. Rep. No. 1232, 74th Cong., 1st Sess. 6 (1935);

25. S. Rep. No. 93-1324, 93rd Cong., 2d Sess. (December 11, 1974);
26. S. 8554, 35 Stat. 778, ch. 256;
27. 1907 Oklahoma Constitution, Article X, Section 12;
28. FRANCES PAUL PRUCHA, THE GREAT FATHER (1984);
29. Berlin B. Chapman, "Dissolution of the Osage Reservation," 20 Chronicles of Oklahoma (1942);
30. TERRY P. WILSON, THE UNDERGROUND RESERVATION: OSAGE OIL (1985);
31. W. DAVID BAIRD, THE OSAGE PEOPLE (1972);
32. Agency Superintendant's Report, 1916, 1919, 1920, 1921, 1922; and
33. 2008 Osage County Plat Book.
34. Any exhibit, listed by Plaintiffs, to which Defendants do not object.

Due to ongoing discovery, Defendants reserve their rights to modify, supplement, or amend these lists as necessary in response to and in conjunction with further discovery in the manner provided by law. In addition, Defendants reserve the right to object to exhibits of the Plaintiff.

Oklahoma Tax Commission

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Electronically Filed 12/15/08
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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of December, 2008, a true and complete copy of the Within and foregoing **DEFENDANTS' PRELIMINARY LIST OF EXHIBITS** was electronically transmitted to the Clerk of Court using ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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By: /s/ William C. Scott
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